

**BOROUGH OF WIND GAP
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EXECUTIVE SESSION

The Council met from 6:30 p.m. to 7:25 p.m. for Executive Session at Wind Gap Borough Hall.

The Council meeting of the Borough of Wind Gap on Tuesday, June 16, 2009, was called to order at 7:30 p.m. by Council President, Scott Parsons, at which time he reminded those present that the meeting was being recorded. In attendance were Councilmen: Jon Faust, Kerry Gassler, Dave Hess, George Hinton, Joe Weaver and Tony Curcio. Also in attendance were Mayor Mitchell D. Mogilski, Sr., Borough Solicitor, Ronold Karasek, Borough Engineer, Brian Pyscher, and Borough Administrator Louise Firestone.

Council President Scott Parsons reported that Council discussed personnel issues during Executive Session and no action would be taken at this time.

PUBLIC COMMENT

1. Pete Layman, representing Gibraltar Development Corporation, Inc., asked Council for a status report on the property on First Street, formerly the Posh Subdivision. The meeting occurred between the Borough, the Borough Solicitor, the Borough Engineer, the developer and the neighbors, the Karners. After the meeting, the Karner agreement has been signed. The Letter of Credit has been applied for through Lafayette Bank. The remaining conditions should be met within the next week. Mr. Layman asked that the approved plans be signed and held in escrow in the Borough office or with Mr. Karasek. Ron Karasek and Brian Pyscher will meet tomorrow to review the file and tie up all the loose ends. Ron asked Pete Layman for a copy of the Letter of Credit.

On motion by Tony Curcio to approve the signature on the plans to be held in escrow until all the paperwork has been completed and approved by the Borough Solicitor and Borough Engineer and seconded by Kerry Gassler. Roll call vote taken. Motion carried unanimously.

MAYOR'S REPORT

Mayor Mitchell D. Mogilski, Sr. reported that he would report on the contractor revenue next month. Police calls for the month of May was 120 for a total of 688 year to date. Two police officers are out. The next COG meeting is scheduled for Wednesday, June 24, 2009 at either the school or Ron Angle's house. The Mayo reported that the COG discussed having a summer intern do an energy audit and he asked Council if they would be interested at no cost to the Borough. Council was in agreement and the Mayor will relay their acceptance to the COG. The peer to peer study did not go through.

The Mayor reported that he located money for Parks and Recreation through the County Open Space Initiative Grant. He spoke to Gordon Heller at the County to learn more about the funding. He was provided with a sample resolution and asked Council if they wanted to act on the resolution tonight. Scott stated that once he asked about this funding he was reminded that George and Louise had been working on the Rails to Trails. They have visited sites from Easton to the Appalachian Mountains, including connecting the Plainfield trail to the Borough Park. Waste Management purchased the property next to the Wind Gap Middle School and there could be a possible link at

some point in time. Mr. Muschlitz has had discussion regarding possible trail links with his quarry property. Mayor Mogilski stated that the deadline is September 2010. Scott promised that Council would stay on top of this issue.

COMMITTEE REPORTS

1. EMS – Kerry Gassler reported that the Ambulance Corps responded to 38 calls in the month of April for a total of 195. The Corps held a coin toss at the intersection of Park and Broadway and had a very good day.
2. Police – George Hinton reported that the police personnel issue has already been discussed during the Executive Session.
3. Sewer Authority – Dave Hess reported that the Authority has revised their Rules and Regulations. They provided a delinquency sheet and are proceeding with shutoff notices for non-payment.
4. Fire Company – Jon Faust reported that the Fire Company responded to 4 calls in May for a total of 58 this year.
5. Streets – George Hinton reported that the North Broadway project is almost complete. Brian Pysher added that the project should be completed weather permitting. Schmauder bid the project at \$1,950, but additional costs may include the use of their dump truck for a day. Topsoil was spread and York raked and the driveway has to be repaired by the street crew. The Roberti project is still ongoing. Brian received comments from PennDOT regarding the permit for sidewalk replacement so he resubmitted revised drawings. The initial aluminum fence estimate is approximately \$3,000. He asked Council for input on the railing. Council was in agreement that the fencing should be the entire length of the poured concrete wall and down the tapered end of the wall.

On motion by Kerry Gassler to get pricing on the fencing and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

Brian is trying to get a quote from Tru-Green to spray the weeds with an aquatic safe herbicide.

6. Zoning - Tony Curcio reported that no new applications were received so the meeting for July 1, 2009 will be cancelled.
7. Planning – Scott Parsons reported that no new submission were made so meeting was held in June and none will be held in July.
8. Parks – Joe Weaver reported that Tony Borger, Wind Gap Athletic Association, proposed replacing the fence. Community Awareness Day has been set for August 9, 2009. The Summer Sounds received \$1,500 in sponsorships. Five dead trees need to be removed in the Park. The Park Board received a quote of \$2,400 from Gary Eagle Tree Service. Mr. Achenbach removed a dead tree that was bordering the property of the park and the Bortz property. The Park Board approved the spraying of herbicide in the park. Council asked for specification sheets for the herbicide. Joe stated that the small kitchen has not been cleaned following the Fire Company carnival.
9. 911 – Tony Curcio reported that he still does not have a complete list of pagers and radios from the Fire Company and the Ambulance Corps.

10. Buildings and Properties – Jon Faust had nothing to report.
11. Finance – Louise Firestone reported that the PennDOT auditor was in and the workers compensation auditor had to be postponed due to the server issue.

NEW BUSINESS

1. Property Maintenance Code. The Borough has received complaints with regard to the property at the corner of Eighth Street and North Broadway. The Zoning Officer has provided Council with pictures and a letter:

"In my capacity as Wind Gap Borough Zoning Officer, it is my professional opinion that the property located at 420 to 424 North Broadway is structurally unsound. From my observance, the property is generally dilapidated, deteriorated, and in a high state of disrepair. Additionally, this particular piece of property has created an unhealthy and unsafe atmosphere and living environment. In my opinion, further inspection and investigation should be conducted by the Borough Engineer, the Borough Fire Chief, the Board of Health, a certified Building Inspector, and a certified Home Inspector." (a copy of the entire letter has been attached as part of the official minutes of June 16, 2009).

The Mayor added that he had a complaint regarding snakes at this property. Ron Karasek stated that the Zoning Officer has the power to go in the house, with proper notification to the property owner. She has the ability to send an enforcement notice to the property owner based on the general nuisance law. If Council wishes, Ron will sit with the Zoning Officer to draft the letter. The property owner would have the right to appeal any action by the Zoning Officer to the Borough's Zoning Hearing Board. He added that if the property owner has the right to repair the property, but the cost of the repairs may be more than the property is actually worth. Scott asked Ron to get together with Brian Pysher and the Zoning Officer, Darlene Plank-Turlington.

2. Property Maintenance Seminar – Joe Weaver and Tony Curcio attended a seminar regarding the property maintenance code and enforcement in the Borough. Joe informed Council that it was a very informative seminar. Council was interested in having a rental inspection similar to those done in Pen Argyl and Bangor Boroughs. Pen Argyl does an inspection every time there is turnover in a rental unit, but Bangor does inspections on a rotating basis whether the tenants have moved or not, which is once every four years. An ordinance would have to be enacted and the inspections would have to be done, but not for the purpose of making a profit for the Borough, but rather making the rental units safe based on a maintenance code. At this point, no one on Council would make a motion to proceed with this issue.

3. Scott Parsons reported that a meeting has been set for this Thursday, June 18, 2009 at 4:15 p.m. with Techo-Bloc. Scott to report back to Council at the next meeting.

4. Alpha Road. Brian Pysher reported that he looked into the possibility of total reclamation of Alpha Road. He asked Council for input regarding the length of Alpha Road to be reclaimed. Does Council want to replace all the curbing and install curbing down to the Plainfield Township line or leave the bottom portion of Alpha Road drain off into the existing swale. He added that some storm boxes need to be replaced and an additional one or two may need to be added. He will calculate the numbers and provide to Council as soon as possible.

Scott Parsons informed Council that the next meeting is scheduled for July 6, 2009 with an Executive Session preceding the meeting at 6:30 p.m. to discuss personnel issues.

On motion by Tony Curcio to adjourn the meeting of June 16, 2009. Council agreed unanimously. The meeting of June 16, 2009 adjourned at 8: p.m.

Louise Firestone, Borough Administrator